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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 IN RE: SOCIAL MEDIA ADOLESCENT
12 ADDICTION/PERSONAL INJURY
13 PRODUCTS LIABILITY LITIGATION

No. 4:22-MD-3047

MDL No. 3047

14 This Document Relates to:
15 ALL ACTIONS
16

**PLAINTIFFS' AND THE TIKTOK
DEFENDANTS' STIPULATED
TRANSLATION PROTOCOL**

1 **WHEREAS**, the PI/SD Plaintiffs (“Plaintiffs”) and Defendants TikTok, Ltd., TikTok,
2 LLC, TikTok, Inc., ByteDance Ltd., and ByteDance Inc. (collectively referred to in this submission
3 as “the TikTok Defendants”) (collectively, the Parties) have identified deponents, and may identify
4 additional deponents, who are in need of interpreters;

5 **WHEREAS**, the Plaintiffs and the TikTok Defendants have met and conferred and agree
6 to the following translation protocol;

7 **NOW WHEREFORE, IT IS HEREBY STIPULATED** by and between Plaintiffs and
8 the TikTok Defendants through their respective attorneys of record that the following translation
9 protocol shall govern the use of interpreters, interpreted deposition testimony, and document
10 translations between Plaintiffs and the TikTok Defendants:

11 **I. Interpreters, Interpreted Deposition Testimony, and Document Translations**

12 A. Any Party requesting an interpreter shall bear the expense of providing their own
13 interpreter. The Parties shall meet and confer to create an agreed-upon list from which the Parties
14 shall select interpreters. If a listed interpreter is not available, the Parties shall meet and confer
15 regarding the selection of an alternative at least fourteen (14) days prior to the deposition at which
16 the interpreter will be needed. If the Parties are unable to reach an agreement, the deposition should
17 go forward and the noticing Party or Parties shall select and bear the expense of the lead interpreter.

18 B. If any Party brings a check interpreter to a deposition, and that check interpreter disagrees
19 with any portion of an interpretation, the check interpreter’s requested correction shall be stated
20 simply for the record. The interpreter of record need not respond. All questions, answers, and
21 objections shall be interpreted for the witness as necessary; however, all counsel shall refrain from
22 unnecessary colloquy and speaking objections, so as not to obstruct the depositions.

23 C. The Parties shall use reasonable efforts at the deposition to resolve any objection to any
24 interpretation or translation.

25 D. To the extent an interpreter is used for all or nearly all of a deposition, the time limit for
26 that deposition shall be increased by 50%. That additional 50% increase in time per deposition will
27 be excluded for purposes of calculating the amount of time to charge a party against their overall
28 deposition time allotments. To the extent an interpreter is not used for all or nearly all of a

1 deposition, the time limit for that deposition will not be increased by 50%, but rather, by an amount
2 agreed to by the parties to account for the use of the interpreter. The Party requesting an interpreter
3 shall indicate fourteen (14) days prior to the deposition whether the deponent is anticipated to need
4 an interpreter for all or nearly all of a deposition, or only for part of the deposition, and will
5 endeavor to explain the translation needs of the deponent.

6 E. All translated documents entered as an exhibit or used during deposition shall be certified
7 by a professional translator accredited or certified by, or holding a certificate in translation from a
8 program approved by, the American Translator's Association or another member organization of
9 the Federal Internationale de Traducteurs; and those approved and authorized to translate in
10 California courts, including this District, by the Judicial Conferences of California. By consent of
11 the Parties, translators with comparable qualifications may be utilized. Translators shall be required
12 to execute Exhibit A to the Stipulated Third Amended Protective Order, or any amendment thereto,
13 if they review any documents subject to the Stipulated Third Amended Protective Order.

14 F. Document translations shall bear the same Confidential or Highly Confidential
15 designation as the original if such designation is in place as of the time that the translation is
16 prepared. A translation should also share the same Bates and deposition exhibit numbers as the
17 underlying document and should be followed with the letter "A" signifying it as a translated version
18 of the document. Because languages occupy different amounts of space to say the same thing, it
19 may be impractical for the translation to be paginated in the exact same way as the original. Parties
20 should ensure the Bates numbers are located in the same location within the text as would be found
21 in the underlying document (*e.g.*, the Bates number may physically fall in the middle of a page,
22 rather than at the bottom). Unless otherwise agreed, document translations shall use the same Bates
23 number as the original, followed by .01, .02, etc. for any additional pages required for the translated
24 text. A translation may not contain independent notes that are not within the text of the original
25 document (*e.g.*, notes from the translator or counsel). Emphasis in the translation (*e.g.*, bold, italics,
26 underlined) must appear in the same form as in the original document. However, translator
27 notations such as "original text is in English," "original text is handwritten," or "untranslatable
28 symbol" may be included in brackets.

G. Documents entered as an Exhibit or used during a deposition must be translated in their entirety. If another Party (or Parties) introduces a subsequent translation of the same underlying document, the subsequent translation(s) should also share the same Bates and exhibit numbers as the underlying document and should be followed consecutively with the letter “B,” “C,” etc. Should a translated document entered into the record become altered as a result of resolved objections to the translation, the updated version should be labeled with the same numbered designation and followed with “AF” (or “BF” or “CF”, etc.) signifying a final translated version.

H. All certified translations shall be presumed to be accurate. Objections to the accuracy of any document translations introduced as exhibits or used at a deposition shall be asserted within 45 days after the final transcript of the deposition is provided to the deponent for correction. Objections shall state the specific inaccuracies of the translation and offer an alternative translation of the portions of the document objected to. If the Parties are unable to resolve the dispute, it may be submitted to Magistrate Judge Kang consistent with the procedures set forth in the Standing Order for Discovery in Civil Cases (Doc. 426). If no objection is made to a translation within the 45-day limit, it shall be deemed accurate, and no objection to admissibility on grounds of inaccuracy of the translation will be permitted.

I. The Parties may agree on adjustments to this translation protocol to promote efficiency or fairness, and advise the Court accordingly. Notwithstanding the provisions of this Order, the Court retains discretion to alter the treatment and admissibility of translated documents at trial if necessary.

Dated: October 24, 2024

Respectfully submitted,

By: /s/ Lexi J. Hazam

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[PROPOSED] ORDER

PURSUANT TO STIPULATION, it is so ORDERED.

DATED: _____

Magistrate Judge Hon. Peter H. Kang

ATTESTATION

I, Andre Mura, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1, that the concurrence to the filing of this document has been obtained from each signatory hereto.

Dated: October 24, 2024

By: /s/ Andre M. Mura

Andre M. Mura